

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 2, 1999
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

Table of Contents

CHRONOLOGY OF THE MEETING	2
ITEM-300: ROLL CALL	3
CITY ATTORNEY ANNOUNCEMENT	3
NON-AGENDA COMMENT	4
ITEM-207: Consideration of a recommendation on the Library	5
ITEM-330: Statton Court-GTE Mobilnet	5
ITEM-331: Rio Vista West	7
ITEM-332: Exempting One Program Manager Position from the Classified Service	9
ITEM-333: Findings for Construction Improvements for the L.I.N.D. Site (A1 and A2) ...	10
ITEM-334: Findings for Construction Improvements for 3rd and 4th Avenues & J Street Prowswood Project.	11
CLOSED SESSION ACTION	12
NON-DOCKET ITEMS	13
ADJOURNMENT	13

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:12 a.m. Mayor Golding recessed the regular meeting at 10:24 a.m. to convene the Redevelopment Agency. Mayor Golding reconvened the regular meeting at 10:27 a.m. with all members present.

Council Member Stevens recognized and welcomed the students and their teacher Mr. Thangaraj from the Coronado Middle School, and introduced the students' chaperon Mr. Joe Sanchez, who is a Job Agent for the State of California. Mr. Sanchez expressed that the students were at the City Council meeting participating in "job shadowing day," and that they chose to see how the City Clerk's Office operated. Mr. Sanchez explained that later the students would evaluate their experiences, and hopefully choose their professional futures.

City Clerk Chuck Abdelnour announced that this was the second annual Groundhog Job Shadow Day and that it's being sponsored by the Junior Achievement. Mayor Susan Golding and City Clerk Chuck Abdelnour thanked the students for participating in this wonderful program, and expressed that they hoped their experience today would be a rewarding one.

Mayor Golding recessed the regular meeting at 10:40 a.m. to reconvene the Redevelopment Agency. Mayor Golding reconvened the regular meeting at 11:30 a.m. with all members present. Mayor Golding adjourned the meeting at 11:35 a.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-present

(5) Council Member Warden-present

(6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Abdelnour (pr)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Golding-present

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-present

(5) Council Member Warden-present

(6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

CITY ATTORNEY ANNOUNCEMENT:

City Attorney Casey Gwinn announced that in Closed Session the City Council voted unanimously to grant a limited waiver of the attorney-client privilege in the matter of the City v. SDG&E.

FILE LOCATION: MINUTES

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Don Stillwell stating he had questions and comments regarding whether the City is spending funds on the "six to six" school program implemented by Mayor Golding.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A010-040.)

PUBLIC COMMENT-2:

Comment by Henry Olivas regarding the development of the downtown ballpark, and wanting to offer to work as a volunteer on that project.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A041-051.)

PUBLIC COMMENT-3:

Comment by Rich Pearson regarding the property damage to his house, and feeling that there are at least four other issues the City hasn't addressed.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A052-080 .)

COUNCIL COMMENT:

NONE.

ITEM-207: Consideration of a recommendation on the Library.

TODAY'S ACTION IS: CONTINUED TO TUESDAY, FEBRUARY 9, 1999
SPECIAL MEETING

In the matter of considering a recommendation on the Library.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A093-135.)

CONSENT MOTION BY MATHIS TO CONTINUE THIS ITEM TO FEBRUARY 9, 1999, AT THE REQUEST OF MAYOR GOLDING TO ALLOW COUNCIL MEMBERS TIME TO REVIEW THE PRO FORMA. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330: Statton Court-GTE Mobilnet

Matter of the appeal of Larry Doherty from the decision of the Planning Commission in denying Conditional Use Permit CUP-91-0303-62 for GTE Mobilnet to continue the use of an existing facility. This facility was previously approved by CUP-87-0453 on December 8, 1987 permitting a 135-foot monopole with antennas. CUP-87-0453 expired by its own terms at the end of April 1998.

(CUP-91-0303-62. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution to deny the appeal and deny the permit:

(R-99-) CONTINUED TO TUESDAY, MARCH 2, 1999

Adoption of a Resolution granting or denying the appeal and granting or denying the permit CUP-91-0303-62, with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

Planning Commission voted 5-1 to approve staff's recommendation to deny the permit; no opposition.

Ayes: Steele, White, Anderson, Butler, Stryker

Nays: Watson

Not present: Skorepa

The Skyline-Paradise Hills Community Planning Committee has recommended approval of an alternative design for the facility.

SUPPORTING INFORMATION:

The project proposes to continue the use of an existing facility. The previously approved Conditional Use Permit, CUP-87-0453 permitted the construction of a 135-foot tall monopole and associated stucco equipment building at Statton Court. CUP-87-0453 expired by its own terms at the end of April 1998. The site is designated for Low Density Residential use by the Skyline/Paradise Hills Community Plan and is zoned R-1-5000 (Residential) in the San Diego Municipal Code. The current site is developed with a 120-foot tall City of San Diego stand pipe, the 135-foot tall GTE monopole and is surrounded by single-family residential development.

The existing telecommunication facility was approved by Conditional Use Permit CUP-87-0453 on December 8, 1987. The 125-foot tall monopole is located on the same site as a 120-foot tall City of San Diego stand pipe. The applicant proposes no changes to what was approved by the original CUP.

LEGAL DESCRIPTION:

The project is located on a 5.33 acre site at the Paradise-Mesa water tank at 1521 Statton Court at the end of Statton Court in the Skyline/Paradise Hills Plan Area. The project site is more particularly described as all that portion of quarter sections 53 and 54 of Rancho de la Nacion, in the City of San Diego, County of San Diego, State of California, according to map thereof no. 166, filed in the office of the San Diego County Recorder.

FILE LOCATION: PERM-91-0303-62 (65)

COUNCIL ACTION: (Tape location: A095-100.)

MOTION BY STEVENS TO CONTINUE THIS ITEM TO MARCH 2, 1999, AT THE REQUEST OF THE APPLICANT FOR FURTHER REVIEW. Second by Stallings
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: Rio Vista West.

Matter of Amendments to the First San Diego River Improvement Project Specific Plan (FSDRIP), the Mission Valley Community Plan, The City of San Diego Progress Guide and General Plan, FSDRIP Development Agreement, and the Rio Vista West Design Guidelines; and a Tentative Map TM-98-0678 and a Street Vacation in the Mission Valley Community Plan Area.

(CPA/SPA/DAA/SV/TM-98-0678. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A, B, and D; adopt Subitem C to grant the map; and introduce the ordinance in Subitem E:

Subitem-A: (R-99-815) ADOPTED AS RESOLUTION R-291253

Adoption of a Resolution certifying that the information contained in Environmental Impact Report LDR-98-0678 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Addendum (LDR-98-0678) to Environmental Impact Report No. 92-0568 reflects the independent judgment of the City of San Diego as Lead Agency. Stating for the record that the Addendum (LDR-98-0678) to Environmental Impact Report No. 92-0568 has been reviewed and considered by the Council prior to approving the project and adopting the Mitigation, Monitoring and Reporting Program pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-99-816) ADOPTED AS RESOLUTION R-291254

Adoption of a Resolution amending the First San Diego River Improvement Project Specific Plan and Rio Vista West Design Guidelines, the Mission Valley Community Plan and the City of San Diego Progress Guide and General Plan.

Subitem-C: (R-99-913) GRANTED MAP, ADOPTED AS RESOLUTION
R-291255

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

Subitem-D: (R-99-817) ADOPTED AS RESOLUTION R-291256

Adoption of a Resolution authorizing the vacation of Station Village Lane, Station Village Way and an Irrevocable Offer of Dedication, in connection with TPM- 98-0678 as provided for under Section 66499.20-1/2 of the State Map Act.

Subitem-E: (O-99-88) INTRODUCED, TO BE ADOPTED FEBRUARY 16, 1999

Introduction of an Ordinance amending the First San Diego River Improvement Project Development Agreement.

CITY MANAGER SUPPORTING INFORMATION:

The Rio Vista West project proposes a Progress Guide and General Plan Amendment, Mission Valley Community Plan Amendment, First San Diego River Improvement Project (FSDRIP) Specific Plan and Rio Vista West Design Guidelines Amendment, Tentative Map, Street Vacation, and a FSDRIP Development Agreement Amendment to allow for an increase in the number of permitted residential units and a reduction in the amount of permitted retail and office development. The Mission Valley Unified Planning Committee voted on October 7, 1998, to unanimously support approval of the proposed project. On December 17, 1998, the Planning Commission voted 6:0:0 to recommend to the City Council approval of the proposed project, finding that the project will meet a housing need in the Mission Valley community, and additionally, that the project would preserve and implement the transit and pedestrian-oriented goals of the Mission Valley Community Plan. At the Planning Commission's request, a concept architectural site plan displayed at the public hearing has been added to the Rio Vista West Design Guidelines document to illustrate design concepts for future development.

LEGAL DESCRIPTION:

The project site is located south and adjacent to Rio San Diego Drive, between Camino del Este and Qualcomm Way (APN 438-362-01) and is more particularly described as a division of Lot "B" of Rio Vista West, Unit No. 1, Map-13148 within the Mission Valley Community Plan area.

FILE LOCATION: SUBITEMS A, B, & C: LAND-Progress Guide and
General Plan - Mission Valley CP-Rio Vista West (9)
SUBITEM D: STRT-J-2894 (39)
SUBITEM E: NONE

COUNCIL ACTION: (Tape location: A149-250.)

Hearing began at 10:23 a.m. and halted at 10:32 a.m.

Mayor Golding left at 10:24 a.m.

Testimony in favor by Coleen Frost and Paul Robinson.

MOTION BY STALLINGS TO INTRODUCE THE ORDINANCE, AND TO ADOPT
THE RESOLUTIONS TO GRANT THE MAP AND TO APPROVE THE PROJECT.
Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea,
Mayor Golding-not present.

ITEM-332: Exempting One Program Manager Position from the Classified Service.

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-99-87) INTRODUCED AND ADOPTED AS ORDINANCE O-18625
(New Series)

Introduction and adoption of an Ordinance amending Ordinance O-18551 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1998-99 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-18551 to add the position of Program Manager in the Water Department's Real Estate Program and exempting the position from the Classified Service.

CITY MANAGER SUPPORTING INFORMATION:

The Water Department recently established a Real Estate Program to provide for a more coordinated approach to the acquisition, use, and management of its real estate. As a result of this, the Water Department is requesting that a Program Manager position be created to manage the Real Estate Program, and that this position be exempted from the Classified Service. This position will be part of the Water Department Director's Executive Team and will be responsible for providing management direction for the Water Department's real Estate Program, including the development of a comprehensive Watershed Management Plan. On November 12, 1998, the Civil Service Commission reviewed this requested and voted unanimously to support the exemption of this position from the Classified Service.

NOTE: See Item 202 on the regular docket of Monday, February 1, 1999, for the first public hearing. Today's action is the second public hearing and the introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A093-135.)

CONSENT MOTION BY MATHIS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333: Findings for Construction Improvements for the L.I.N.D. Site (A1 and A2).

(See memorandum from Centre City Development Corporation dated 1/12/99.
Little Italy Redevelopment District of the Expansion Sub Area of the Centre City
Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-99-803) ADOPTED AS RESOLUTION R-291257

Approving the construction of certain off-site improvements on India Street and Cedar Street (L.I.N.D. Site) in the Little Italy Redevelopment District of the

Expansion Area of the Centre City Redevelopment Project Area and making certain findings with respect to the payments for the improvements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A093-135.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334: Findings for Construction Improvements for 3rd and 4th Avenues & J Street Prowswood Project.

(See memorandum from Centre City Development Corporation dated 1/13/99. Marina Sub Area of the Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-99-804) ADOPTED AS RESOLUTION R-291258

Approving the construction of certain off-site improvements on third and Fourth Avenues and J Street in the Marina Sub Area of the Centre City Redevelopment Project Area and making certain findings with respect to the payments for the improvements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A093-135.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

CLOSED SESSION ACTION:

ITEM-CS-1: (R-99-857) ADOPTED AS RESOLUTION R-291259

A Resolution adopted by the City Council in Closed Session on February 2, 1999:

Authorizing the City Manager to pay the sum of \$57,500.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, in Superior Court Case No. 719503, Judy Cash v. City of San Diego, et al., resulting from the personal injuries and property damage to Judy Cash; authorizing the City Auditor and Comptroller to issue one check in the amount of \$57,500.00 made payable to Judy Cash and John Little, her attorney of record, in full settlement of all claims.

Aud. Cert. 9900799

FILE LOCATION: MEET

ITEM-CS-2: (R-99-853) ADOPTED AS RESOLUTION R-291260

A Resolution adopted by the City Council in Closed Session on February 2, 1999:

Authorizing the City Manager to pay the sum of \$46,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, in Superior Court Case No. 718393, Kristina Huang v. City of San Diego, et al., resulting from the personal injury/property damage to Kristina Huang; authorizing the City Auditor and Comptroller to issue one check in the amount of \$46,000 made payable to Kristina Huang and her attorney of record Cheong & Denove, in full settlement of all claims.

Aud. Cert. 9900798

FILE LOCATION: MEET

ITEM-CS-3: (R-99-863) ADOPTED AS RESOLUTION R-291261

A Resolution adopted by the City Council in Closed Session on February 2, 1999:

Authorizing the City Manager to pay the sum of \$22,881 in the settlement of each and every claim against The City of San Diego, its agents and employees, in Superior Court

Case No. EC16087, Nuccio, et al. v. City of San Diego, et al., resulting from the property damage claim of Charles Dimock; authorizing the City Auditor and Comptroller to issue one check in the amount of \$22,881 made payable to Pamela Nuccio and Dan Zeidman, her attorney of record in full settlement of all claims.

Aud. Cert. 9900801

FILE LOCATION: MEET

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 11:35 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B388.)